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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
CHRISTINE RUIZ, )  
 )  
Defendant. )

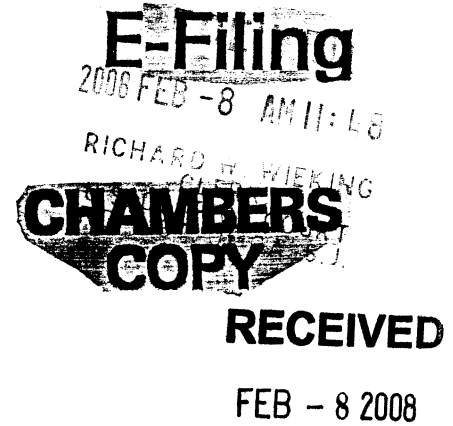
NO. 08-70028-HRL

**GOVERNMENT'S MOTION TO  
DISMISS COMPLAINT AND  
~~PROPOSED~~ ORDER**

COMES NOW THE UNITED STATES OF AMERICA appearing through the undersigned Assistant United States Attorney and moves this Honorable Court for an order dismissing the above-captioned complaint. The facts supporting this request are as follows:

The Government has been advised by Pre Trial Services that the defendant has been arrested by local authorities based upon the same conduct charged in the instant complaint, and is currently being held in custody on those charges. Consequently, the decision has been made to defer to the County of Santa Clara to pursue the charges in their forum.

Accordingly, the government respectfully requests that the above-captioned complaint



1 be dismissed.

2  
3  
4 Respectfully submitted,

5 JOSEPH P. RUSSONIELLO  
6 United States Attorney

7  
8 DATED: February 7, 2008

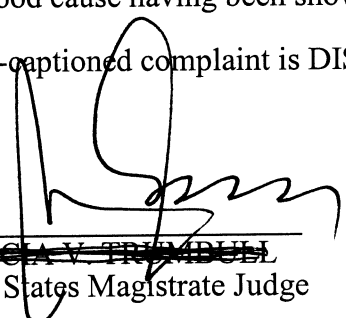
9  
10 /S/  
11 THOMAS M. O'CONNELL  
12 Assistants United States Attorney

13  
14 **ORDER**

15 Upon application of the United States, and good cause having been shown,

16 **IT IS HEREBY ORDERED** that the above-captioned complaint is DISMISSED.

17 DATE: 2/8/08

18   
19 ~~PATRICIA V. TREMBLAY~~  
20 United States Magistrate Judge  
21 HOWARD R. LLOYD

22 **Distribute to:**

23 Thomas M. O'Connell  
24 Assistant United States Attorney  
25 150 Almaden Boulevard, Suite 900  
26 San Jose, CA 95113

GOVT. REQUEST TO DISMISS COMPLAINT;  
ORDER]